

HB 209

2005  
CS

## CHAMBER ACTION

1 The PreK-12 Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to administration of medication to public  
7 school students; creating s. 1006.0625, F.S.; defining the  
8 term "psychotropic medication"; prohibiting recipients of  
9 state funds used for educational purposes from requiring a  
10 student to be prescribed or administered psychotropic  
11 medication as a condition of receipt of educational  
12 services; providing requirements for administration;  
13 providing a restriction relating to the diagnosis or  
14 treatment of mental disorders; authorizing teachers or  
15 school district personnel to share observations with  
16 parents regarding student performance and behavior;  
17 providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21 Section 1. Section 1006.0625, Florida Statutes, is created  
22 to read:

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23       1006.0625 Administration of psychotropic medication;  
24 prohibition; conditions.--

25       (1) As used in this section, the term "psychotropic  
26 medication" means a prescription medication that is used for the  
27 treatment of mental disorders and includes, without limitation,  
28 hypnotics, antipsychotics, antidepressants, anxiety agents,  
29 sedatives, psychomotor stimulants, and mood stabilizers.

30       (2) A recipient of state funds shall not require a student  
31 to be prescribed or administered any psychotropic medication as  
32 a condition of such student receiving educational or school-  
33 based services, including, but not limited to, school  
34 enrollment, class attendance, extracurricular activity  
35 participation, or school-related event attendance, that are  
36 financed in whole or part by state funds. A psychotropic  
37 medication shall be administered pursuant to s. 1006.062.

38       (3) A school or school district personnel shall not  
39 initiate, or make a referral for, diagnosis or treatment of a  
40 student for any disorder listed in the Diagnostic and  
41 Statistical Manual of Mental Disorders or in ICD-10. However,  
42 nothing in this subsection shall be construed to prohibit a  
43 teacher or school district personnel from sharing classroom-  
44 based observations with parents regarding a student's academic  
45 and functional performance and behavior in the classroom or  
46 school.

47       Section 2. This act shall take effect upon becoming a law.